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18 *Attorneys for Benchmark Electronics*

19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**

21 *In re Capacitors Antitrust Litigation*

22 **Case No. 17-md-02801-JD**

23 *This document relates to:*

24 **STIPULATION AND [PROPOSED]**
25 **ORDER OF DISMISSAL**

26 *Benchmark Electronics, Inc. et al. v.*
27 *AVX Corp. et al., Case No. 17-cv-7047-JD*

1 Plaintiffs Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc.,
 2 Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics
 3 Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics
 4 Tijuana, S. de R.L. de C.V. and Benchmark Electronics de Mexico S. de R.L. de C.V.,
 5 (collectively, "Benchmark") and Defendants Panasonic Corporation; Panasonic Corporation of
 6 North America; SANYO Electric Co., Ltd.; SANYO North America Corporation (collectively,
 7 the "Panasonic and Sanyo Defendants"), by and through undersigned counsel, pursuant to Rule
 8 41(a)(2) of the Federal Rules of Civil Procedure, hereby stipulate to the dismissal of the present
 9 action with prejudice and state as follows:

10 1. Benchmark and the Panasonic and Sanyo Defendants seek the dismissal of this
 11 action against the Panasonic and Sanyo Defendants with prejudice.

12 2. Benchmark and the Panasonic and Sanyo Defendants agree that each party shall
 13 bear its own costs, expenses, and attorneys' fees in connection with these actions.

14 3. This stipulation does not affect the rights or claims of Benchmark against any
 15 other defendant or alleged co-conspirator in this litigation.

16 WHEREFORE, the parties respectfully request that this Court issue an Order of
 17 Dismissal With Prejudice against the Panasonic and Sanyo Defendants only.

18
 19 /s/ Scott N. Wagner
 20 Robert W. Turken (admitted *pro hac vice*)
 21 Scott N. Wagner (admitted *pro hac vice*)
 22 Lori P. Lustrin (admitted *pro hac vice*)
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5 *Counsel for Defendants Panasonic*
6 *Corporation; Panasonic Corporation of North*
7 *America; SANYO Electric Co., Ltd.; SANYO*
8 *North America Corporation*

9 **ECF ATTESTATION**

10 I, Scott N. Wagner, an ECF User whose ID and Password are being used to file
11 STIPULATION AND [PROPOSED] ORDER OF DISMISSAL.

12 In compliance with Civil Local Rule 5-1, I hereby attest that counsel for the Panasonic
13 and Sanyo Defendants has concurred in this filing.

14
15 DATED: April 4, 2019

16 By: /s/ Scott N. Wagner
17 Scott N. Wagner

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**
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3 Dated: _____
4 UNITED STATES DISTRICT JUDGE
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